



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Before the
House Committee on Higher Education
Thursday, February 12, 2015 at 2:03 pm
By Dr. Risa Dickson
Vice President for Academic Affairs
University of Hawai'i
and
Kalbert Young
Vice President for Budget & Finance
University of Hawai'i

HB 553 HD1 – RELATING TO COLLECTIVE BARGAINING

Chair Choy, Vice Chair Ichiyama, and Members of House Committee on Higher Education:

We hereby provide the following testimony regarding House Bill 553 HD1 – Relating to Collective Bargaining which proposes to amend HRS, §89-6, to create a new bargaining unit (15) for graduate student assistants employed by the University of Hawai'i.

In deliberating on the approach to allow university-employed graduate students to be included for collective bargaining, there are several issues that the Legislature, University and taxpayers should consider. From an employment perspective, first consider the rationality of requiring the State and University to collectively bargain employment with employed students – in this case, graduate assistants. The University's graduate assistants are unlike any other employees of the State. First and foremost, they are students first - employees second. Graduate assistants are student learners. They are at the University to learn as much about their fields of study as their time and talents will allow. These graduate assistants are mentored and supervised by our rank 3, 4, and 5 Faculty members who all hold Ph.D.'s and have many years of proven professional competence and experience, including evidence of proficiency in teaching. Part of our efforts as University mentors is to teach graduate assistants the subject matter. An equal or large part of our efforts is devoted to turning them out as academic professionals with real job skills in research techniques, teaching expertise, database management, etc. They learn these essential skill sets while in their graduate assistant positions under the guidance and supervision of our current faculty employees. A graduate assistant is similar to an on-the-job training or apprenticeship training program. It is not a career or a profession, but the beginning stages most faculty must complete to pursue a career in higher education. There is no long term career opportunities for graduate assistants at the University.

As graduate assistants, their duties and work assignments differ significantly from that of our faculty members. Our faculty members in ranks 3, 4, and 5 who mentor graduate assistants are required to teach classes and/or develop research programs with no supervision or oversight. There are at times consultation and interaction with other Faculty members depending on the department's teaching needs or research focus, but there is not supervision *per se*. A graduate assistant does not step into a classroom, laboratory, or field exercise without supervision of some kind. By comparison, senior

teaching assistants may be capable of teaching a lecture section with little or no supervision because they have been mentored and trained to take on that type of assignment. Similarly, senior research assistants will undertake more complex roles without strict supervision or even have the capacity to develop new techniques as they grow into their roles. Our goal is to train and mentor graduate assistants to get them to that point where they can function as professionals and begin their academic careers.

Secondly, from a collective bargaining perspective, there still remains outstanding statutory issues that will need to be addressed if such a new bargaining unit 15 were to be created under HRS, §89-6, including but not limited to, addressing the resolution of disputes and impasses. Currently, (3) of the existing fourteen (14) existing bargaining units (i.e. Units 1, 5 and 7) have retained their right to strike while all other bargaining units are subject to interest arbitration (i.e. 2, 3, 4, 6, 8, 9, 10, 11, 12, 13 & 14). Therefore, some of the issues that would need to be addressed in the legislation include the mechanism for dispute resolution and impasse procedure (i.e., right to strike or interest arbitration) under HRS, §89-11, and recognition, representation, and employee participation under HRS, §89-8.

Thirdly, the State of Hawai'i and the University of Hawai'i must also somberly consider the financial ramifications of allowing student employees such as graduate students into Chapter 89, HRS, collective bargaining. There will be significant cost increases for both the University and the State of Hawai'i should the Legislature decide to expand collective bargaining provisions to this currently non-bargaining class of employees.

Graduate students of the University are currently compensated via a package that includes a variety of benefits. Consider that current compensation for employed graduate students varies dependent upon individual circumstances of the student. University-employed graduate students receive tuition waivers that can be valued at between \$458 to \$1,382 per credit hour per semester, depending upon their resident (or non-resident) status. Factors such as whether the student is a Hawai'i resident or non-resident will increase the value of the tuition waiver benefit. For example, a full time resident graduate student tuition can range from \$5,500.00 to \$9,000.00 per semester while non-resident tuition ranges from \$13,400.00 to \$16,600 per semester. They also may receive a monetary stipend that can vary by the educational program that they are associated with. The current level of compensation is not an insignificant cost to the University.

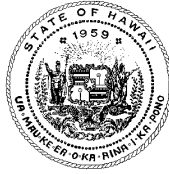
Since mandatory subjects of bargaining covers wages, hours, conditions of employment and fringe benefits, all such subjects shall now become "cost items" subject to legislative appropriations pursuant to HRS, §89-10(b). For example, membership in the State Employees' Retirement System as provided to employees in Chapter 88, HRS, will add pension contribution costs to the State and employee. As with other bargaining unit members, enrollment in the Employer-Union Trust Fund for health insurance benefits will also add increased expenses to the University for contributions and to the State for total liability of the system. Additionally, all compensation collectively bargained for can be treated as wages that will be subject to employment and income taxes.

The Legislature should consider the cost factor for additional expenses that will be incurred above the current operational costs. Adding collective bargaining components to this class of employees who are first and foremost student employees will increase State general fund demand while simultaneously increasing University operational expenses.

We respectfully request the House Committee on Higher Education defer any further action on this measure.

Thank you for the opportunity to testify on this bill.

DAVID Y. IGE
GOVERNOR



JAMES K. NISHIMOTO
CHIEF NEGOTIATOR

**STATE OF HAWAII
OFFICE OF COLLECTIVE BARGAINING
EXECUTIVE OFFICE OF THE GOVERNOR**
235 S. BERETANIA STREET, SUITE 1201
HONOLULU, HAWAII 96813-2437

February 11, 2015

TESTIMONY TO THE
HOUSE COMMITTEE ON HIGHER EDUCATION
For Hearing on Thursday, February 12, 2015
2:03 p.m., Conference Room 309

By

JAMES K. NISHIMOTO
OFFICE OF COLLECTIVE BARGAINING, CHIEF NEGOTIATOR

**House Bill No. 553, H.D. 1
Relating to Collective Bargaining**

CHAIRPERSON CHOY, VICE CHAIR ICHiyAMA AND MEMBERS OF THE HOUSE
COMMITTEE ON HIGHER EDUCATION:

Thank you for the opportunity to testify on this important measure.

H.B. No. 553, H.D. 1 would create a new bargaining unit (bargaining unit 15) to
cover graduate student assistants employed by the University of Hawaii.

The Office of Collective Bargaining **has concerns** about this bill and requests
that the bill **be held**.

The creation of a new bargaining unit to cover individuals who are essentially
students would have significant cost implications. Since mandatory subjects of
collective bargaining include wages, hours, conditions of employment and fringe
benefits, all such subjects would become "cost items" subject to legislative
appropriation pursuant to HRS § 89-10(b). Stipends that are currently provided by the

University to graduate students would become negotiable cost items, along with possible contributions to the Employer-Union Health Benefits Trust Fund. The Legislature should consider the impact this would have upon the State's general fund, as well as the University's operational expenses.

Based upon the above, OCB respectfully requests that this measure **be held**.

Date: Thursday, February 12, 2015
Time: 2:00 PM
Place: Conference Room 309

To: House Committee on Higher Education
Representative Isaac Choy, Chair
Representative Linda Ichiyama, Vice Chair

Re: Support of HB 553 HD1 Relating to the University of Hawaii

My name is Jonathan Dial, and I am a graduate student at the University of Hawai'i at Mānoa (UHM). I am also Co-Chair of Advocacy for the Graduate Student Organization (GSO). I am writing in strong support of HB 553 HD1 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH).

Graduate assistants at UH perform essential functions, such as teaching and research, yet are paid poorly. In a 2012 survey conducted by the UHM Graduate Student Organization (GSO), 90% of respondents indicated that their wages do not cover the cost of living in Hawai'i. The pay scale for graduate assistants has not been increased since 2003/2004. Furthermore, graduate students have little job security, since they are rehired each year, and sometimes each semester. They also are not afforded sick days or family leave. As a result, sick graduate student employees risk being fired if they choose to stay home in order to avoid spreading illness to students. Allowing these employees the right to unionize would enable them to negotiate in order to improve their situations.

Each year, graduate student employees must go through a rehire process, and this leads to a situation in which many students feel they must avoid presenting an impression of themselves as a complainer, even if they have legitimate reason for doing so. Consequently, many students are afraid to bring up their issues concerning being overworked, being mistreated, and a weak benefits package. Loss of employment midyear could be devastating as deadlines for financial assistance are either prior to the start of fall or early in the fall semester.

Also, graduate student employees have no control over their insurance premiums, as we are barred from participating in such negotiations. Our insurance premiums are higher than that of the faculty, and they constitute a greater portion of our salary. Moreover, we are not afforded sick days or family leave. As a result, sick graduate student employees risk being fired if they choose to stay home in order to avoid spreading illness to students.

I have been personally involved with the efforts to support this bill over the past two years, and I believe that involvement has given me a perspective that is uncommon for graduate students. In discussions with University and community leaders, it has become apparent that there have been many attempts to win the right to collective bargaining for graduate students over several decades. Unfortunately, those attempts have all failed in the legislature, and the problems that are the source of these efforts have not been solved within the University structure.

Graduate students are an integral part of the UH system. We constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. However, we are not afforded the same labor protections that faculty and staff are. We deserve to be treated equally, not abused and exploited.

Also, I feel that the amendment proposing the creation of a new bargaining unit (15) specifically for graduate students is appropriate and beneficial to the long-term viability of a graduate student union. Although I believe that graduate students' responsibilities do agree with those found in bargaining unit 8, this may not be true in the future. A graduate student bargaining unit would be better able to adjust to any changes going forward.

By not allowing graduate students to unionize, a message is being sent that the Capitol is not concerned for the welfare of Hawai'i's upcoming professionals. Sending such a message is dangerous, as it discourages the growth of education, research, and professionalism in our great State. I encourage you to instead send a message that you do support the students of Hawai'ian Higher Education and are willing to assist us in our plight.

Respectfully submitted,

Jonathan Dial
Co-Chair of Advocacy, Graduate Student Organization
President, Graduate Student Sociological Association
Email: dialjonathan@gmail.com
(601) 954-6794



Date: February 12, 2015

Time: 2:00 PM

Place: Conference Room 309

To: House Committee on Higher Education
Representative Isaac Choy, Chair
Representative Linda Ichiyama, Vice Chair

Re: Support of HB 553 HD1 Relating to the University of Hawaii

My name is Michelle Tigchelaar, and I am writing on behalf and as the President of the University of Hawai'i at Mānoa (UHM) Graduate Student Organization (GSO). The GSO represents the approximately 5,000 graduate students at the UH Mānoa campus. I am writing in strong support of HB 553 HD1, which allows UH graduate students to be included in an appropriate collective bargaining unit.

Graduate students critically contribute to the various missions of UH, by serving as Teaching Assistants for our undergraduate students, and working on world-class research projects as Research Assistants. Collectively these positions are known as Graduate Assistants (GAs). In spite of their critical role however, GAs at UH are poorly paid. In a 2012 survey conducted by the GSO, 90% of respondents indicated that their wages do not cover the cost of living in Hawai'i. The pay scale for graduate assistants has not been increased to reflect increasing living expenses since 2003/2004. Furthermore, graduate students have little job security, since they are rehired on an annual, and sometimes even semester, basis. They also are not afforded sick days or family leave. GAs are thus in an extremely vulnerable position, with few options to raise grievances.

We are currently barred from our constitutional right to collective bargaining by Section 89-6 of the Hawaii Revised Statutes, which excludes all student help from coverage. This is however not reflective of the type of work that we (versus other types of student help) perform, and contrary to national trends. Since the late 1960s, many states around the country have extended public employee collective bargaining rights to GAs. In 2012, approximately 65,000 graduate student employees were organized at 28 institutions of higher education in the public sector, representing about one-fifth of all GAs. A 2013 study of these unions, by three Rutgers University scholars, showed that they improve pay and professional support for graduate students, and have had a neutral to positive impact on student performance and perceptions of academic freedom.

Graduate students are an integral part of the UH system. We constitute a committed learning community, do important research, and perform a substantial proportion of

Graduate Student Organization • University of Hawai'i at Mānoa

Hemenway Hall 212 • 2445 Campus Road • Honolulu, HI 96822



the teaching duties. However, we are not afforded the same labor protections that faculty and staff are. We deserve to be treated equally, not abused and exploited. The GSO therefore strongly supports HB 553. Because of the unique working conditions of graduate students, the GSO also supports the amendment to HB 553 that would create a separate bargaining unit for graduate students at UH.

Thank you for the opportunity to testify.

Michelle Tigchelaar
UH Mānoa Graduate Student Organization, President

Email: mtigch@hawaii.edu
Phone: (808) 724-1392



Eric Gill, Financial Secretary-Treasurer

Hernando Ramos Tan, President

Godfrey Maeshiro, Senior Vice-President

Wednesday, February 11, 2015

The Honorable Isaac W. Choy, Chair
and Members
Committee on Higher Education
Hawaii State House of Representatives

TESTIMONY submitted on behalf of UNITE HERE! Local 5

Re: HB 553, HD 1 Relating to Collective Bargaining; UH graduate students

Chair Choy and members:

UNITE HERE Local 5 is a local labor organization representing 10,500 hotel, health care and food service workers employed throughout our State. We stand in strong support of HB 553, HD 1 and ask for your Committee's support in advancing the measure.

HB 553, HD 1 is currently drafted to amend Section 89-6 of the HRS to include a separate and distinct bargaining unit for graduate student assistants employed by the University of Hawaii.

As an organization whose members primarily work in the Hawai'i's service sector and whose children primarily seek higher education opportunities in our public university system, we understand the need for valuing workers – in this case, graduate students – who contribute directly to the education of our youth.

We recognize the vital role graduate student employees play in helping to keep our University System functional. They contribute immensely towards ensuring that our University remains a committed space for learning in our community. Graduate students are often responsible for a substantial portion of teaching duties and research not dissimilar from unionized faculty, and have and continue to encounter many workplace issues, but unlike unionized faculty and staff are not afforded the same rights and respect that come with such representation.

HB 553, HD1 is an articulation of basic fairness in workplaces directly controlled by the State, and indirectly by all of us as taxpayers.

We ask for your Committee's support in moving HB 553, HD 1 forward.

Thank you.



The House Committee on Higher Education
Thursday, February 12, 2015
2:03 p.m.

HB 553, HD 1, Relating to Collective Bargaining.

Dear Chairman Choy and Committee Members:

The University of Hawaii Professional Assembly urges the committee to support passage of this proposed measure by amendments to the Hawaii Revised Statutes Chapter 90 that will advance the interests of graduate assistants. These employees are essential to instruction and research that contribute to the overall success of the University of Hawaii. Graduate Assistances are employees in the full sense of the term with continuing access to positions based on job and academic performance.

UHPA supports the rights of graduate assistants to organize and collectively bargain. Such a right is consistent with the labor tradition in our state and is compatible with an academic environment whereby the majority of employees have access to representation.

Respectively submitted,

Kristeen Hanselman
Association Executive Director

**UNIVERSITY OF HAWAII
PROFESSIONAL ASSEMBLY**

1017 Palm Drive • Honolulu, Hawaii 96814-1928
Telephone: (808) 593-2157 • Facsimile: (808) 593-2160
Web Page: <http://www.uhpa.org>

Date: Friday, February 6, 2015

Time: 9:00 AM

Place: Conference Room 309

To: Representative Mark Nakashima, Chair
Representative Jarrett Keohokalole, Vice Chair

Re: Support of HB 553 HD1 Relating to the University of Hawaii

My name is penny-Bee Kapilialoha Bovard, and I am a graduate student at UH Manoa. I am writing in strong support of HB 553 HD 1 to grant collective bargaining rights to graduate students employed by the University of Hawai'i.

The compensation scale for graduate assistants has not been increased since 2003/2004. Previously, the scale was increased every year from 1987/88 to 1992/93 and every three or four years between 1993/94 and 2003/2004. Policy set by President of the University of Hawai'i System has scheduled the next review for 2018. The current minimum pay, \$17,500, is far below a living wage. It often forces graduate students to live in poverty conditions, affecting the quality of their work and the speed with which they are able to earn their degrees.

Graduate student employees are rehired each year, and sometimes each semester, many students are afraid to complain about being overworked and/or mistreated. Loss of employment midyear could be devastating as deadlines for financial assistance are either prior to the start of fall or early in the fall semester.

Graduate student employees have no say over insurance premiums. Our insurance premiums are higher than faculty yet constituting a more significant portion of our salary. Moreover, we are not afforded sick days or family leave. As a result, sick graduate student employees risk being fired if they choose to stay home in order to avoid spreading illness to students.

Graduate students are an integral part of the UH system. We constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. However, we are not afforded the same labor protections that faculty and staff are. We deserve to be treated equally, not abused and exploited.

Mahalo a nui loa,

Penny-Bee Kapilialoha Bovard
PhD student, UHM Sociology
Junior Specialist, UHM Women's Studies
pennybee@hawaii.edu
956-6696

Date: Friday, February 6, 2015

Time: 9:00 AM

Place: Conference Room 309

To: Representative Mark Nakashima, Chair
Representative Jarrett Keohokalole, Vice Chair

Re: Support of HB 553 HD1 Relating to the University of Hawaii

My name is Nicholas Chagnon, and I am a graduate student at UH Manoa. I work for the Women's Studies department as a graduate assistant; lecture as adjunct faculty for the Sociology Department; and serve as Co-Advocacy Chair for the Graduate Student Organization. I am writing in strong support of HB 553 HD 1 to grant collective bargaining rights to graduate students employed by the University of Hawai'i.

The compensation scale for graduate assistants has not been increased since 2003/2004. Previously, the scale was increased every year from 1987/88 to 1992/93 and every three or four years between 1993/94 and 2003/2004. Policy set by President of the University of Hawai'i System has scheduled the next review for 2018. The current minimum pay, \$17,500, is far below a living wage. It often forces graduate students to live in poverty conditions, affecting the quality of their work and the speed with which they are able to earn their degrees.

Graduate student employees are rehired each year, and sometimes each semester, many students are afraid to complain about being overworked and/or mistreated. Loss of employment midyear could be devastating as deadlines for financial assistance are either prior to the start of fall or early in the fall semester.

Graduate student employees have no say over insurance premiums. Our insurance premiums are higher than faculty yet constituting a more significant portion of our salary. Moreover, we are not afforded sick days or family leave. As a result, sick graduate student employees risk being fired if they choose to stay home in order to avoid spreading illness to students.

I have worked at the university for five years, as a teaching assistant, research assistant, and adjunct faculty. I have not once received a pay increase that was not the result of switching jobs. In fact, my net pay decreased several times due to increases in our insurance premiums. When I first came here, I lived in unsafe housing with poor wiring and could barely afford groceries. I often had to delay in buying staple foods such as milk and bread, because I could only afford to cover my rent at the time. Eventually, I was forced to take out student loans to supplement my income. Because of this, I face a student debt of over \$100,000 when I graduate. I would like to stay in Hawaii after graduation, and work to make this state a better place for all. However, I may not be able to considering the job opportunities here in relation to this debt that I will have to pay off each month.

Graduate students are an integral part of the UH system. We constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. However, we are not afforded the same labor protections that faculty and staff are. We deserve to be treated equally, not abused and exploited.

Nicholas Chagnon
PhD candidate, UHM Sociology
Research Assistant, UHM Women's Studies

Co-advocacy chair, UHM Graduate Student Organization
chagnon@hawaii.edu
956-7464

Date: Thursday, February 12, 2015

Time: 2:00 PM

Place: Conference Room 309

To: House Committee on Higher Education
Representative Isaac W. Choy, Chair
Representative Linda Ichiyama, Vice Chair

Re: Support of HB 553 HD1 Relating to Collective Bargaining

My name is Valerie Puaalanimaole Ho'okano Jeter and I am a Native Hawaiian graduate student at the University of Hawai'i at Mānoa (UHM). I am writing in strong support of the amendments to the bill HB 553 HD1, which allows University of Hawai'i (UH) graduate students to be included in an appropriate collective bargaining unit.

The compensation scale for graduate assistants has not been increased since 2003/2004. Previously, the scale was increased every year from 1987/88 to 1992/93 and every three or four years between 1993/94 and 2003/2004. Policy set by President of the University of Hawai'i System has scheduled the next review for 2018.

Graduate student employees are rehired each year, and sometimes each semester, many students are afraid to complain about being overworked and/or mistreated. Loss of employment midyear could be devastating as deadlines for financial assistance are either prior to the start of fall or early in the fall semester.

Graduate student employees have no say over insurance premiums. Our insurance premiums are higher than faculty yet constituting a more significant portion of our salary. Moreover, we are not afforded sick days or family leave. As a result, sick graduate student employees risk being fired if they choose to stay home in order to avoid spreading illness to students.

I am a non-traditional, single parent, graduate student needing employment with the possibility for pay increases and substantial medical benefits for my family. Insurance premiums are costly, taking a significant portion of my set paycheck. When any of my children are sick, my options are limited and restricting. I am not able to provide the best care for their recovery, sufficiently fulfill my work duties, or prevent further illness from spreading in my home, work, or school. My GA position and financial aid are crucial to my ability to finish my education as a female and sole provider for my family.

Graduate students are an integral part of the UH system. We constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. However, we are not afforded the same labor protections that faculty and staff are. We deserve to be treated equally, not abused and exploited. Therefor, I support bill HB553 HD1.

Respectfully submitted,
Valerie P. H. Jeter
vjeter@hawaii.edu

Date: Thursday, February 12, 2015

Time: 2:00 PM

Place: Conference Room 309

To: Representative Isaac Choy, Chair
Representative Linda Ichiyama, Vice Chair

Re: Support of HB 553 HD1 Relating to the University of Hawaii

My name is Bret Polopolus-Meredith, and I am a graduate assistant (GA) at University of Hawai'i at Mānoa (UHM). I am writing in strong support of HB 553 HD1 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH) and create bargaining unit 15 (BU15).

I have estimated, as best I could, the potential increased costs to the UH budget as a result of graduate assistant collective bargaining. Although, it is my opinion that UH will have to increase the graduate assistant pay scale eventually, regardless of collective bargaining, as the minimum pay at UH Hilo is currently \$14,382 for a 9-month hire. The 2015 federal poverty guideline for a 1-person household in Hawai'i is \$13,550.

Based on a preliminary report from the 2012 UHM Strategic Planning Committee approximately half of the graduate assistants at UHM are funded from extramural sources. However, the percent of externally funded graduates may be slightly lower or higher as there has been a decline in the number of GA positions. There were 1351 GA positions at UHM in fall 2012. The Office of Graduate Education provided a preliminary estimate of 1304 GA positions at UHM in 2014.

Based on 1351 GA positions, I would estimate a \$2M increase to the total GA pay for a 4% raise. The cost to internal UH funding sources would be about \$1M. Based on 1304 GA positions, I estimate a \$1M increase to the total GA pay for a 4% raise. The cost to internal UH funding sources would be about \$500,000.

The other primary costs to UH are for tuition waivers and insurance benefits. Graduate assistants already receive full tuition waivers, so there would not be an additional cost as a result of collective bargaining. The graduate assistant health insurance benefit is based off of BU8. The premium is similar to the faculty (BU7). It is unlikely there would be an increased cost as the result of allowing graduate assistants their right to collectively bargain.

I estimate that over two years would pass until a negotiated contract could take effect if HB553 HD1 were signed into law in summer 2015. First, graduate assistants would need to organize. As many graduates are away during the summer, organizing would likely take place in fall 2015. BU15 would need to be created and receive approval from the Hawai'i Labor Relations Board (HLRB). This process could take several months and last into or through spring 2016. Negotiations with UH might begin as early as late spring 2016. A pay raise might be agreed to as early as spring 2017, but would likely not take effect until fall 2017.

The University of Hawai'i already treats graduate student employees as a collective. The compensation scale is set for all graduate assistants. The benefits are the same. Yet, we are denied collective negotiations to improve our lot. This denies graduate students a voice in affairs that directly affect them

This causes a fundamental imbalance of power in the relationship between students and the university. This imbalance is exacerbated when we must also rely upon the university for our sole livelihood. Graduate student employees are not allowed to take second jobs that could offset remedial pay and benefits.

Graduate student employees teach classes, perform research, and work in administration while progressing toward a degree. They are extremely busy performing duties that benefit undergraduates, faculty, and administration. Graduate students should not have to protest and hold three-day sit-ins to prevent the sudden and unannounced elimination of jobs as was done in November 2014. There should not be more than ten years between raises to the graduate compensation scale, especially when other income options are stymied. Graduate students should not be forced to spend time away from degree progress to plan protests over substandard pay, benefits, work conditions, and job security simply because we cannot negotiate collectively.

Bret Polopolus-Meredith
bp32@hawaii.edu
808-304-9334

ichiyama2-Brandon

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 11, 2015 11:04 AM
To: HEDtestimony
Cc: elanstop@hawaii.edu
Subject: Submitted testimony for HB553 on Feb 12, 2015 14:03PM

HB553

Submitted on: 2/11/2015

Testimony for HED on Feb 12, 2015 14:03PM in Conference Room 309

| Submitted By | Organization | Testifier Position | Present at Hearing |
|-----------------|--------------|--------------------|--------------------|
| Elan Stopnitzky | Individual | Support | No |

Comments: I am a Phd student in the physics department at UH, and I teach the undergraduate physics labs. Despite bringing in roughly \$80,000 per year for the university in student tuition, I make only a little more than \$17,000. This is dramatically less than the \$26,848 estimated living wage for a single adult in Honolulu County. It is outrageous that a professional with a Master's Degree, that provides such important services to the community and contributes so much economically, should be forced to live in poverty: borrowing money from family, living without health insurance, wearing old secondhand clothes, subsisting on instant ramen, and continually subject to the stress of not being able to make ends meet. Moreover, without collective bargaining rights, I have no means of addressing these grievances. Graduate students are vital to the education of Hawaii's residents, and make invaluable contributions to society through our research. We deserve the basic dignity of being heard.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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ichiyama2-Brandon

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 8:45 PM
To: HEDtestimony
Cc: pwegesen@hawaii.edu
Subject: Submitted testimony for HB553 on Feb 12, 2015 14:03PM

HB553

Submitted on: 2/10/2015

Testimony for HED on Feb 12, 2015 14:03PM in Conference Room 309

| Submitted By | Organization | Testifier Position | Present at Hearing |
|----------------|--------------|--------------------|--------------------|
| Pablo Wegesend | Individual | Comments Only | No |

Comments: Graduate student employees at UH deserve collective bargaining rights and a pay raise. They haven't received a pay raise since 2004, even though they used to receive pay raises frequently in the 1980s. They currently don't get sick leave nor do they have a reliable avenue to pursue workplace grievances. That needs to change NOW!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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LATE

TESTIMONY BY WESLEY K. MACHIDA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE HOUSE COMMITTEE ON HIGHER EDUCATION
ON
HOUSE BILL NO. 553, H.D. 1

February 12, 2015

RELATING TO COLLECTIVE BARGAINING

This measure allows graduate students employed by the University of Hawaii (UH) to collectively bargain by amending Chapter 89-6, HRS, to create a new bargaining (15) for graduate student assistants.

The Department of Budget and Finance opposes this measure. UH has outlined several reasons why it is best to keep collective bargaining out of the management of these student-employees in their testimony. The cost implications of allowing graduate students to collectively bargain are a special concern, especially in UH's current fiscal situation. If it is determined that this new bargaining group would be subject to binding arbitration (which is not specified in this measure), the ability of UH to manage this important resource would be further reduced.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

LATE

**The Twenty-Eighth Legislature, State of Hawaii
House of Representatives
Committee on Higher Education**

**Testimony by
Hawaii Government Employees Association
February 12, 2015**

**H.B. 553, H.D. 1 – RELATING TO
COLLECTIVE BARGAINING**

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the concept of allowing graduate students employed by the University of Hawaii to be included in an appropriate collective bargaining unit, as proposed in H.B. 553, H.D. 1, however we respectfully raise a technical concern with the current H.D. 1.

The original H.B. 553 amended Ch. 89-6, Hawaii Revised Statutes by removing the exclusion of this group from collectively bargaining and allowing the group to unionize. However, the H.D. 1 of H.B. 553 no longer removes the exclusion to Ch. 89-6, HRS and now establishes a new bargaining unit 15 for graduate student assistants employed by the University of Hawaii. We respectfully request the Committee to determine whether it is necessary to include the language in the original H.B. 553, in addition to or in lieu of the H.D. 1 language.

Graduate students employed by the University have encountered numerous work related issues in the past; including budget set backs and increases in class size and workload, in addition to the high cost of living in Hawaii. Despite these issues, graduate student employees have not received a salary increase since 2004. Making an amendment to the prohibition of bargaining in Ch. 89, HRS is the first necessary step in allowing these employees to unionize and will ensure their rights as state workers.

Respectfully submitted,

**Randy Perreira
Executive Director**

LATE

Rep. Isaac W. Choy, Chair
Rep. Linda Ichiyama, Vice Chair
Committee on Higher Education

House of Representatives of the State of Hawai'i

Lance D. Collins, Ph.D
Law Office of Lance D Collins

Thursday, February 12, 2015
Support H.B. 553, Relating to Collective Bargaining

My name is Lance D. Collins. I am an attorney in private practice. I strongly support this bill.

Graduate students perform the same work as other public employees who work for the University of Hawai'i. In most instances, this work is done with the same level of supervision or less as other public employees at the University of Hawai'i. The only difference between graduate student employees and others is that the graduate students have no protection from arbitrary and capricious employment decisions and often must suffer poor and sometimes illegal working conditions to maintain their employment.

Over the years, the University has stated that its purpose for graduate assistantships is to train and mentor graduate students for their professional careers. Taking collective action for the betterment of working conditions and collective bargaining should be included in that training. Being subject to arbitrary and capricious employment decisions and poor and abusive working conditions only trains graduate students to accept that such harmful conduct is a necessary component to academic life – when it, in fact, is not.

In 1968, the people of Hawai'i amended the Hawai'i State Constitution to provide public employees the right to collectively bargain. Article XIII, Section 2 of the Hawai'i State Constitution. Nevertheless, the implementing statute has been interpreted to exclude graduate students from the ambit of the public employee collective bargaining statute.

That interpretation exceeds the powers of the legislature and violates such a right. “[T]he framers [of the constitution] were not in favor of granting the legislature the ultimate power to deny the right to organize for the purpose of collectively bargaining.” *UPW v. Yogi*, 101 Haw. 46, 52 (2002)

HB 553 will amend Chapter 89, HRS, to properly include graduate students so that they may exercise their constitutional right to organize and collectively bargain for better working conditions.

Mahalo.

//

ichiyama2-Brandon

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 11, 2015 8:38 PM
To: HEDtestimony
Cc: poetica@hawaii.edu
Subject: *Submitted testimony for HB553 on Feb 12, 2015 14:03PM*

LATE

HB553

Submitted on: 2/11/2015

Testimony for HED on Feb 12, 2015 14:03PM in Conference Room 309

| Submitted By | Organization | Testifier Position | Present at Hearing |
|-------------------------|--------------|--------------------|--------------------|
| Alexandru Cozub-Poetica | Individual | Support | No |

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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LATE

Date: Thursday, February 5, 2015

Time: 1:30 PM

Place: Conference Room 224

To: Senate Committee on Higher Education and Arts Senator Brian Taniguchi, Chair and Senate Committee on Judiciary and Labor Senator Gilbert S.C. Keith-Agaran, Chair

Re: Support of HB 553 Relating to the University of Hawaii

I am Ryan Dorrill, a graduate student in the Particle Physics program at University of Hawai'i at Manoa. I'm writing in my support of HB 553 to grant collective bargaining rights to graduate students employed by UH.

I know you're already aware of how long it's been since the last time the scale for graduate student pay was increased. It may seem like a trivial matter to members of the Senate or the community at large, but as graduate students we find ourselves responsible both for the education of the young people at UH and the research that brings in millions of dollars in grants. While programs like the athletics department continue to ask for millions more dollars and collect higher and higher fees and tuition is increased time and time again, the graduate students still cannot even fight for wages or benefits.

My salary when I started at UH just two years ago was approximately \$16,800 a year, which later has taxes, health insurance (almost \$200 a month), and student fees (\$800 a year) come out of it. This is such an embarrassingly poor amount of money for TA's in our field that my advisors at Johns Hopkins insisted it would be better for me to apply to schools elsewhere than to bring my skills to UH Manoa. They cited the extremely high cost of living as a major concern, and noted that a school in our situation would normally be paying almost double this amount.

Nonetheless, I chose join our university and have been rewarded with some of the most wonderful and talented friends and colleagues that I've had the pleasure to meet. The Hawaiian people and their land have truly welcomed me with kindness. I love it here in Hawaii, but as the years pass I've had to watch talented friends return to the mainland to go to other schools or more lucrative jobs at places like Lockheed Martin and UC Santa Cruz. Myself, I want to stay, but with the ever increasing burden of inflation, the skyrocketing athletic fees and cost of rent, I feel my career is truly in jeopardy if we go another decade without even a raise for cost of living. Taking out loans for the privilege of doing my own job is not an option.

Thank you for you time and support,

Ryan Dorrill
dorrill@hawaii.edu

LATE

My name is Thomas Dougherty, a PhD student at the University of Hawai'i at Mānoa, and I am writing in strong support of HB 553 HD 1, which would help grant collective bargaining rights to graduate students employed by the University of Hawai'i. Currently, graduate students employed by the University are not afforded the same rights and protections as other employees, despite performing many of the same vital duties that other employees are.

For example, the compensation scale for graduate assistants has not been increased since 2003/2004. Previously, the scale was increased every year from 1987/88 to 1992/93 and every three or four years between 1993/94 and 2003/2004. Policy set by President of the University of Hawai'i System has scheduled the next review for 2018. This policy unfortunately ensures that graduate assistants at the University are not paid in a way that is in scale to the cost of living in Hawai'i. Not only does this present a hardship to current students, but it also makes the school itself less competitive, as prospective graduate students will look to other universities where either the cost of living is less, or at least the pay is more in line with the cost of living. Collective bargaining rights would allow graduate students to not only ensure they are treated fairly, but will also help ensure the competitiveness of the University as a whole.

Further, graduate student employees are rehired each year, and sometimes each semester, many students are afraid to complain about being overworked and/or mistreated. Loss of employment midyear could be devastating as deadlines for financial assistance are either prior to the start of fall or early in the fall semester. The University long ago did away with the Ombudsman's office, thus students often have to go through non-neutral faculty and administrators in order to make any sort of complaint about unfair or unjust working conditions. A collective labor organization would allow students to at least not have to go through this process by themselves.

Finally, graduate student employees have no say over insurance premiums. Our insurance premiums are higher than faculty yet constituting a much more significant portion of our salary. Moreover, we are not afforded sick days or family leave. As a result, sick graduate student employees risk being fired if they choose to stay home in order to avoid spreading illness to students. Unlike other university employees, who have a say in their healthcare options, graduate students currently do not have any voice for self-determination in terms of healthcare. Again, a labor organization would ensure fairness and an invested voice in terms of these kinds of decisions, which the university seems to overlook.

Graduate students are an integral part of the UH system. We constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. However, we are not afforded the same labor protections that faculty and staff are. We deserve to be treated equally, not abused and exploited.

Thomas M. Dougherty
dougherty.thomas.m@gmail.com
(443)-845-4946

ichiyama2-Brandon

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 11, 2015 7:26 PM
To: HEDtestimony
Cc: johnk2@hawaii.edu
Subject: Submitted testimony for HB553 on Feb 12, 2015 14:03PM

LATE

HB553

Submitted on: 2/11/2015

Testimony for HED on Feb 12, 2015 14:03PM in Conference Room 309

| Submitted By | Organization | Testifier Position | Present at Hearing |
|----------------|--------------|--------------------|--------------------|
| John Koblanski | Individual | Support | No |

Comments: We need this terribly and strikes seem inevitable. Never have I seen a worse working environment in my life, where our pay is abysmal and we must get rehired every single semester on route to gaining out PHD. Our jobs are not easily replaceable. Please pass this bill. I believe with a gain in workers and students rights at UH, less atrocious sports related money appropriations scams will be possible in the future. Thank you for your consideration. John Koblanski, International Physics PHD grad student and teaching assistant .

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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LATE

Date: Thursday, February 12, 2015

Time: 2:00 PM

Place: Conference Room 309

To: House Committee on Higher Education
Representative Isaac W. Choy, Chair
Representative Linda Ichiyama, Vice Chair

Re: Support of HB 553 HD1 Relating to Collective Bargaining

My name is Penn Pantumsinchai and I am a graduate student at the University of Hawai'i at Mānoa (UHM). I am writing in strong support of HB 553 HD1, which allows University of Hawai'i (UH) graduate students to be included in an appropriate collective bargaining unit.

The compensation scale for graduate assistants has not been increased since 2003/2004. Previously, the scale was increased every year from 1987/88 to 1992/93 and every three or four years between 1993/94 and 2003/2004. Policy set by President of the University of Hawai'i System has scheduled the next review for 2018.

Graduate student employees are rehired each year, and sometimes each semester, many students are afraid to complain about being overworked and/or mistreated. Loss of employment midyear could be devastating as deadlines for financial assistance are either prior to the start of fall or early in the fall semester.

Graduate student employees have no say over insurance premiums. Our insurance premiums are higher than faculty yet constituting a more significant portion of our salary. Moreover, we are not afforded sick days or family leave. As a result, sick graduate student employees risk being fired if they choose to stay home in order to avoid spreading illness to students.

Graduate students are an integral part of the UH system. We constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. However, we are not afforded the same labor protections that faculty and staff are. We deserve to be treated equally, not abused and exploited.

Respectfully submitted,
Penn Pantumsinchai
ppantum@hawaii.edu

LATE

My name is Bradley Rentz, and I am a graduate student at University of Hawai'i at Mānoa. I am writing in strong support of HB 553 HD1 to grant collective bargaining rights to graduate students employed by the University of Hawai'i.

The compensation scale for graduate assistants has not been increased since 2003/2004. Previously, the scale was increased every year from 1987/88 to 1992/93 and every three or four years between 1993/94 and 2003/2004. Policy set by President of the University of Hawai'i System has scheduled the next review for 2018.

Graduate student employees are rehired each year, and sometimes each semester, many students are afraid to complain about being overworked and/or mistreated. Loss of employment midyear could be devastating as deadlines for financial assistance are either prior to the start of fall or early in the fall semester.

Graduate student employees have no say over insurance premiums. Our insurance premiums are higher than faculty yet constituting a more significant portion of our salary. Moreover, we are not afforded sick days or family leave. As a result, sick graduate student employees risk being fired if they choose to stay home in order to avoid spreading illness to students.

Graduate students are an integral part of the UH system. We constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. However, we are not afforded the same labor protections that faculty and staff are. We deserve to be treated equally, not abused and exploited.

Bradley Rentz

bradley.rentz@gmail.com

LATE

My name is Claire Stabile, and I am a graduate student at University of Hawai'i at Mānoa. I am writing in strong support of HB 553 HD1 to grant collective bargaining rights to graduate students employed by the University of Hawai'i.

The compensation scale for graduate assistants has not been increased since 2003/2004. Previously, the scale was increased every year from 1987/88 to 1992/93 and every three or four years between 1993/94 and 2003/2004. Policy set by President of the University of Hawai'i System has scheduled the next review for 2018.

Graduate student employees are rehired each year, and sometimes each semester, many students are afraid to complain about being overworked and/or mistreated. Loss of employment midyear could be devastating as deadlines for financial assistance are either prior to the start of fall or early in the fall semester.

Graduate student employees have no say over insurance premiums. Our insurance premiums are higher than faculty yet constituting a more significant portion of our salary. Moreover, we are not afforded sick days or family leave. As a result, sick graduate student employees risk being fired if they choose to stay home in order to avoid spreading illness to students.

After my insurance for myself and my dependent is deducted from my paycheck, my take home pay is \$874 per month.

Graduate students are an integral part of the UH system. We constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. However, we are not afforded the same labor protections that faculty and staff are. We deserve to be treated equally, not abused and exploited.

Claire Stabile
cstabile@hawaii.edu
310-662-3574

LATE

Date: Thursday, February 12, 2015

Time: 2:00 PM

To: Senate Committee on Higher Education and Arts Senator Brian Taniguchi, Chair and Senate Committee on Judiciary and Labor Senator Gilbert S.C. Keith-Agaran, Chair

Re: Support of HB 553 Relating to the University of Hawaii

My name is Kathryn Whitman and I am a graduate student at University of Hawai'i at Manoa. I am writing in strong support of HB 553 to grant collective bargaining rights to graduate students employed by the University of Hawai'i.

The compensation scale for graduate assistants has not been increased since 2003/2004. Previously, the scale was increased every year from 1987/88 to 1992/93 and every three or four years between 1993/94 and 2003/2004. Policy set by President of the University of Hawai'i System has scheduled the next review for 2018.

Graduate student employees are rehired each year, and sometimes each semester, many students are afraid to complain about being overworked and/or mistreated. Loss of employment midyear could be devastating as deadlines for financial assistance are either prior to the start of fall or early in the fall semester.

Graduate student employees have no say over insurance premiums. Our insurance premiums are higher than faculty yet constituting a more significant portion of our salary. Moreover, we are not afforded sick days or family leave. As a result, sick graduate student employees risk being fired if they choose to stay home in order to avoid spreading illness to students.

I used to work as staff at UH through RCUH, during which time I enjoyed the protection and benefits of Union-negotiated health insurance premiums. As a graduate student, my premiums have gone up significantly over the past 4 years and make up a large amount of my pay and I have no way to interact with the UH administration to negotiate a more reasonable situation. As a graduate student, it is very difficult to survive off of my income and, again, there is no clear means for me and my colleagues to work with the University to negotiate or improve our income and benefits. Because of our low pay and lack of rights within the UH system, I have personally seen a number of highly qualified students turn down a graduate appointment at UH in order to go to a school that pays a more livable wage and values their graduate students' rights.

Graduate students are an integral part of the UH system. We constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. However, we are not afforded the same labor protections that faculty and staff are. We deserve to be treated equally, not abused and exploited.

Kathryn Whitman
Graduate Student, Dept. of Physics and Astronomy
kwhitman@hawaii.edu
(808)286-0796



Randy Perreira
President

HAWAII STATE AFL-CIO

345 Queen Street, Suite 500 • Honolulu, Hawaii 96813

LATE

The Twenty-Eighth Legislature, State of Hawaii
Hawaii State House of Representatives
Committee on Higher Education

Telephone: (808) 597-1441
Fax: (808) 593-2149

Testimony by
Hawaii State AFL-CIO
February 12, 2015

H.B. 553, HD1 – RELATING TO
COLLECTIVE BARGAINING

The Hawaii State AFL-CIO strongly supports H.B. 553, HD1 which grants collective bargaining rights to graduate student assistants employed by the University of Hawaii. While this bill proposes to create a new bargaining unit, we defer to the wisdom of the legislature as to whether it is most appropriate to create a new unit, include graduate assistants in an existing unit, or leave the placement determination to the Hawaii Labor Relations Board. In any case, we strongly believe that these graduate assistant employees should be entitled to bargaining rights.

Having the ability to collectively bargain will give UH grad students a unified voice to discuss their working conditions, wages, and a number of other benefits to help improve their quality of life and work environment. Collective bargaining will help solve workplace problems and provide a grievance process to ensure each situation is handled appropriately and fairly. The Hawaii State AFL-CIO strongly urges the passage of H.B. 553, HD1.

Thank you for the opportunity to testify.

Respectfully submitted,

Randy Perreira
President